

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 12 March 2024

**Public Authority:** North Lincolnshire Council  
**Address:** Church Square House  
30-40 High Street  
Scunthorpe  
North Lincolnshire  
DN15 6NL

#### **Decision (including any steps ordered)**

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1. The complainant requested information from North Lincolnshire Council ("the Council") relating to the names and contact details of senior Council Officers.
2. The Commissioner's decision is that the Council is not entitled to rely on section 21 (information accessible to the applicant by other means) to withhold the requested information.
3. The Commissioner requires the Council to take the following steps to ensure compliance with the legislation.
  - Disclose the withheld information.
4. The Council must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

## Request and response

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5. On 10 October 2023, the complainant wrote to the Council and requested information in the following terms:

“I wish to know the names and contact details (direct phone numbers and direct personal council email addresses) of the following officers employed by North Lincolnshire council:

Chief Executive (Head of Paid Services)  
Deputy Chief Executive  
Chief Financial Officer  
Assistant Director: Governance and Partnerships (Monitoring Officer)  
Section 151 Officer  
Chief Data Protection Officer  
Councils Scrutiny Officer (Head of Democracy)  
Head of Council Tax  
Head of Debt Management/Recovery  
Chief Court Enforcement Officer  
Director of Public Health  
Chief Legal Officer”
6. The Council responded on 24 October 2023 and withheld the requested information citing section 21 (information accessible to the applicant by other means) of FOIA as its basis for doing so. It provided the complainant with a link to the 'contact us' webpage on its website and stated that information relating to contact details is already published on its website.
7. On 24 October 2023, the complainant requested an internal review. The Council provided the complainant with the outcome of its internal review on 26 January 2024 in which it maintained its original position.

## Reasons for decision

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8. This reasoning covers whether the Council is entitled to rely on section 21 of FOIA to refuse to provide the requested information.
9. Section 21 of the FOIA provides that information which is reasonably accessible to the applicant is exempt information. It is an absolute exemption which means that there is no requirement to carry out a public interest test if the exemption is engaged.

10. The Commissioner has reviewed the 'contact us' webpage on the Council's website which the Council directed the complainant to in its initial response to the request. Whilst the webpage contains information about contacting the Council, it does not contain the requested information. Specifically, it does not contain the names of the senior council officers listed in the request, or the direct email addresses or telephone numbers of those council officers.
11. As the requested information is not available on the 'contact us' webpage on the Council's website, it is not accessible to the complainant from that location. Neither is the Commissioner aware of it being available to the complainant elsewhere. Therefore, the Commissioner's decision is that the Council is not entitled to rely on section 21 of FOIA to withhold the requested information.

## Right of appeal

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12. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

13. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
14. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Ben Tomes**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**